

Judge Hellerstein  
9465/RHD

CICHANOWICZ, CALLAN, KEANE, VENGROW & TEXTOR, LLP  
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(212)344-7042  
Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

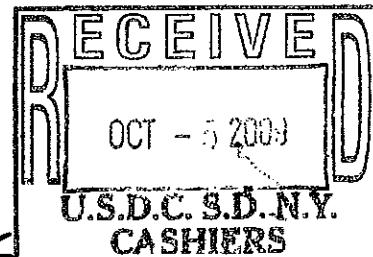
Hanjin Shipping Co. Ltd.

Plaintiff,

- against -

Churchill Financial, LLC,

Defendant.



09 Civ. 8425

**VERIFIED COMPLAINT**

Plaintiff Hanjin Shipping Co. Ltd. (hereinafter "Hanjin"), by its attorneys, Cichanowicz, Callan, Keane, Vengrow & Textor, LLP, for its Complaint against the defendant Churchill Financial, LLC (hereinafter "Churchill"), alleges upon information and belief as follows:

1. This is an admiralty and maritime claim within the meaning of Rule 9(h) of the Federal Rules of Civil Procedure and 28 U.S.C. 1333(1).
2. At all material times, Hanjin was and still is a Korean company with U.S. headquarters at 80 East Route 4, Suite 490, Paramus, New Jersey 07652.
3. At all material times, Churchill was and still is a corporation or other business entity with an office and place of business at 400 Park Avenue, Suite 1510, New York, New York 10022.
4. Hanjin is an ocean carrier of containerized cargo in international commerce.

5. On or about June 6, 2009 Hanjin issued a bill of lading numbered HKGA32530704 for the carriage of containerized cargo from the Port of Hong Kong to Greensboro, North Carolina via the Port of Wilmington, North Carolina.

6. On or about June 14, 2009 Hanjin issued a bill of lading numbered HKGA32539504 for the carriage of containerized cargo from Port of Hong Kong to Greensboro, North Carolina via the Port of Wilmington, North Carolina.

7. On or about June 15, 2009 Hanjin issued a bill of lading numbered YITA56384105 for the carriage of containerized cargo from the Port of Yantian, China to Greensboro, North Carolina via the Port of Wilmington, North Carolina.

8. On or about June 15, 2009 Hanjin issued a bill of lading numbered YITA56902707 for the carriage of containerized cargo from the Port of Yantian, China to Greensboro, North Carolina via the Port of Wilmington, North Carolina.

9. On or about June 15, 2009 Hanjin issued a bill of lading numbered YITA56915401 for the carriage of containerized cargo from the Port of Yantian, China to Greensboro, North Carolina via the Port of Wilmington, North Carolina.

10. On or about June 22, 2009 Hanjin issued a bill of lading numbered YITA56354903 for the carriage of containerized cargo from the Port of Yantian, China to Greensboro, North Carolina via the Port of Wilmington, North Carolina.

11. Prior to issuing the abovementioned bills of lading, Churchill requested to be named, or consented to be named, as consignee on the abovementioned bills of lading.

12. Hanjin fully performed its duties and obligations by carrying the containers in accordance with the terms and conditions of the abovementioned bills of lading.

13. Ocean freight totaling \$39,400.00 currently remains unpaid on the abovementioned bills of lading:

- (a) B/L: HKGA32530704 Balance Amount: \$10,500.00
- (b) B/L: HKGA32539504 Balance Amount: \$2,650.00
- (c) B/L: YITA56384105 Balance Amount: \$2,625.00
- (d) B/L: YITA56902707 Balance Amount: \$2,625.00
- (e) B/L: YITA56915401 Balance Amount: \$7,875.00
- (f) B/L: YITA56354903 Balance Amount: \$13,125.00

**Total Balance: \$39,400.00**

14. Pursuant to the terms and conditions of the bills of lading and Hanjin's standard terms and conditions of carriage as set forth in Hanjin's publicly available tariff, Churchill, as named consignee, is liable for the payment of all freight, charges, and other amounts due.

15. Despite demands for payment, Churchill has failed to pay the outstanding freight charges and is in breach of its obligations under the abovementioned bills of lading.

16. All conditions precedent have been performed or have occurred.

WHEREFORE, Hanjin demands judgment against Churchill in the amount of \$39,400.00 plus interest, costs of this suit, attorneys fees, and for such other relief as the Court may deem just and proper.

Dated: New York, New York  
October 5, 2009

CICHANOWICZ, CALLAN, KEANE,  
VENGROW & TEXTOR, LLP  
Attorneys for Plaintiff

By:

\_\_\_\_\_  
Randolph H. Donatelli  
61 Broadway, Suite 3000

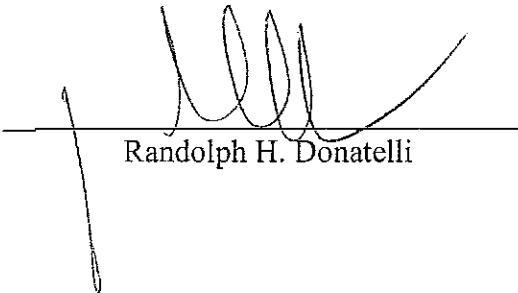
New York, New York 10006-2802  
(212)344-7042

**ATTORNEY VERIFICATION**

The undersigned declares that the following statement is true under the penalty of perjury:

1. I am over 18 years of age, of sound mind, capable of making this verification and fully competent to testify to all matters stated herein.
2. I am attorney for the plaintiff in this action and I am fully authorized to make this verification on its behalf.
3. I have read the foregoing complaint, and the contents thereof are true and accurate to the best of my knowledge upon information and belief.
4. The reason that this verification was made by me and not the plaintiff is that the plaintiff is an alien corporation, none of whose officers are present in the district.
5. The source of my knowledge is information and records furnished to me by plaintiff all of which I believe to be true and accurate.

Dated: New York, New York  
October 5, 2009



A handwritten signature of "Randolph H. Donatelli" is written across a horizontal line. To the left of the line, there is a vertical mark consisting of a short vertical line with a diagonal stroke extending downwards from its midpoint.